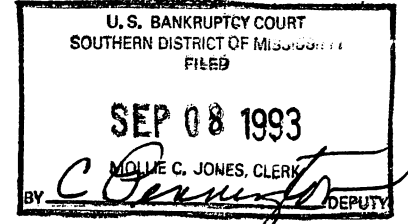


UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: THE MATTER OF DISMISSAL IN
CASES WHERE DEBTOR FAILS TO
TIMELY PAY REQUIRED FILING FEE



STANDING ORDER AUTHORIZING DISMISSAL WHEN
DEBTOR FAILS TO TIMELY PAY REQUIRED FILING FEE

This matter is before the court in order to review the dismissal procedures in cases where a debtor fails to timely pay the required filing fee. After duly considering this matter, the court finds that the procedure has been for the Office of the United States Trustee to file a motion to dismiss in chapter 7 and chapter 11 cases, and for the Standing Trustee to file the motion to dismiss in chapter 12 and chapter 13 cases. After the motion was filed, a hearing was scheduled with notice of the hearing being provided to all parties in interest.

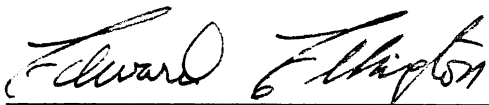
As a result of the number of such motions now being filed, this court is of the opinion that the dismissal procedure should be changed to provide the proper notice of potential dismissal in the document scheduling the initial meeting of creditors for each case. If a debtor hereafter fails to timely pay a required filing fee, a notice of potential dismissal will be served by the Office of the United States Trustee on the debtor, the debtor's attorney, and any trustee serving in the case, indicating that the case will be dismissed after ten (10) days from the date that the notice is stamped as received by the Office of the Clerk of the Bankruptcy

Court. If the filing fees are not paid within the ten (10) day period, the case will be dismissed without further notice to the parties in interest and without an actual hearing being scheduled.

IT IS THEREFORE ORDERED that, commencing immediately, notice of potential dismissal will be contained in the document scheduling the initial meeting of creditors for each case. If a debtor hereafter fails to timely pay a required filing fee, a notice of potential dismissal will be served by the Office of the United States Trustee on the debtor, the debtor's attorney, and any trustee serving in the case, indicating that the case will be dismissed after ten (10) days from the date that the notice is stamped as received by the Office of the Clerk of the Bankruptcy Court. If the filing fees are not paid within the ten (10) day period, the case will be dismissed without further notice to the parties in interest and without an actual hearing being scheduled.

IT IS FURTHER ORDERED that the order of dismissal will be prepared, if necessary, by the Office of the United States Trustee and submitted to the Office of the Clerk of the Bankruptcy Court for dissemination to all parties in interest.

ORDERED AND ADJUDGED this the 8th day of September, 1993.



EDWARD ELLINGTON
UNITED STATES BANKRUPTCY JUDGE
SOUTHERN DISTRICT OF MISSISSIPPI



EDWARD R. GAINES
UNITED STATES BANKRUPTCY JUDGE
SOUTHERN DISTRICT OF MISSISSIPPI